*Previous references.*

1905-6
(Sep. Rev.

Ex File No. 11 of 03.

Serial Nos. 1 to 11

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.*

**Part B. for** Remember

SUBJECT.

Appeal of Gulla Gowda of Kugadi
Chikmagalur Dt against the Deputy
Commissioner in the matter of his Suit
-ship to Kadru Gowda defendant being
Toddy licensee.

FILE No. 11 of 1903-04.

*Appeal of Mallegowda of Magadi, Chikmagalur Taluk, against the order of the Excise Commissioner in the matter of his suretyship to one Kadregowda, defaulting licensee of Chikmagalur and other toddy shops for 1902-03.*

1 From Mallegowda, petition dated the 14th September 1903.
Appeals against the order of the Excise Commissioner, No. 1605-32, dated the 8th August 1903, declining to set aside the order of the Kadur Deputy Commissioner, compelling the petitioner to pay up the arrears of Rs. 4,260, due to Government from the defaulting licensee under the terms of the security bond executed by him (petitioner) which is contended to be not genuine for reasons stated.

2 To the Excise Commissioner, No. 298—E., dated the 7th October 1903.
Forwards the above petition for report together with the records of the case.

3 From the Excise Commissioner, No. 2928—137, dated the 9th October 1903.
Forwards copy of his office memo No. 1556-26, dated the 8th August 1903, containing the full history of the case and adds that he will submit the record on its receipt from the Deputy Commissioner.

4 From the Excise Commissioner, No. 3150-147, dated the 20th October 1903.
Submits the record of the case.

5 From Mallegowda, petition dated the 31st December 1903.
States that he wants to submit the facts of the case personally or by his Advocate and requests to be given a hearing.

6 To the Excise Commissioner, No. 537—Ex., dated the 30th January 1904.
Requests to be furnished with the record relating to the re-sale of the shops and the coercive measures adopted to recover the arrears as they are not to be found among the records already submitted to Government.

7 From the Excise Commissioner, No. 9055-3C, dated 2nd June 1904.
Submits the records called for.

8 To the Excise Commissioner, No. Fl. 1507, dated 10th September 1904.
Requests the Excise Commissioner to obtain and submit the explanation of the Amildar concerned for the irregularities mentioned in his official memo of the 8th August 1903, together with the remarks of the Deputy Commissioner and the Excise Commissioner. Requests him also to report the result of his enquiry as to who the Taluk and Excise officials are that are responsible for the long delay in the disposal of the case and as to why the irrecvoerable arrears due from Kadregowda after deducting the sum of Rs. 4,260 payable by Mallegowda should not be recovered from them.

9 To Mallegowda, No. Fl. 1508, dated the 10th September 1904.
Informs him that Government see no reason to interfere with the orders of the Excise Commissioner in the matter.

10 From the Excise Commissioner, No. 123, dated the 31st August 1905.
Forwards copy of letter No. 18 of the 28th July 1905, wherein it is reported that the Excise Inspector is not at fault, that the Amildar Mr. Mahomed Raza's mistake lies in having referred the Excise papers to the shekdar, that the shekdar has been degraded for his negligence, that steps have been taken to recover the outstanding arrears of Rs. 3,152-14-9, due from Mallegowda who has agreed to pay up the amount by monthly instalment of Rs. 75. and that he has been enquiring into the sufficiency of the immovable property offered by his sureties.

11 To the Excise Commissioner and the Revenue Commissioner, No. Fl. 3315-6, dated the 24th November 1905.
Observes that the new arrangement which the Deputy Commissioner is reported to be trying to bring about is in the absence of necessary precautions, likely to lead to some further complication, and that Mallegowda might plead it as a discharge of his liability unless he is also made a party to it, also censures the Amildar Mr. Mahomed Raza for his omission to get the muchalika executed soon after the confirmation of sale.

Serial No.

W. on 9/6/02. He petitioned ~~the~~ Dep^ty Comm^r on 19/6/02 requesting him to accept the suretyship of Mallegowda of Nagar for an amount equal to 4 months' rental viz Rs 4260. On a recommendation from the Amildar whose opinion was called for, Mallegowda's suretyship was accepted.

V. (D.C's order no 127 of the 17/7/02).

2. In the meanwhile Kadegowda

U presented another petn to the Dep^ty Comm^r on 12/7/02 pressing for early orders on his petn Dated the 19/6/02.

3. On 4/9/02 Kadegowda sent to the Dy Comm^r the Jamin Mutchalika

J duly signed by Mallegowda and attested by a witness who has borne testimony to its execution, with a petition and prayed for the orders of the taluk officials not to trouble him any more for the



MGCPB—10 000—19-5-04

G.R.S. 12J

(4)

General and Revenue Secretariat.

Eq File No. 11 of 1903

Serial No.

be noted that there was nearly a delay of 4 months between the issue of the order and the service of the notice to the intended surety Mallesowda at the same time denied the execution of the Mutchalika and presented a petn to this effect to the Dy Commr on 1/5/03. On this petn the Dy Commr has recorded that before he passed his orders on 11th March 1903 he sent for Mallesowda, showed him the Mutchalika in the presence of the Amildar of the Taluk and that he (Mallegowda) acknowledged his signature when questioned about it.

Q

6. Against this order Mallesowda ~~has~~ appealed to the Excise Commr who exhaustively dealt with the case and rejected the appeal remarking at the same time

P

NOTE—Contn. sheet.

MGCPB—10 000—19-5-04

G.R.S. 12]

(6)

General and Revenue Secretariat.

Eq File No. 11 of 1903

Serial No.

is denied.

Subd for orders of the Secy.

Mr. 13/8. There were many irregularities which have been noticed by the Excise Court. It is reported that Mallegowda admitted that he had executed the security bond in the presence of the Dy Comr and the Amildar and he states that it is genuine and Mallegowda corroborates it. The arguments in his petition appear to be more ingenious than true.

× Flag J

Mr. 19-8-04

Submitted to the Diwan Saheb thro' the Councillor. That the appellant executed the security bond is beyond doubt. May we reject his appeal?

365/22-8-04.

20/8/1904

Mr. 20/8/04

The irregularities & indifference brought to notice are to be regretted. There can however be no doubt that the Appellant did execute security and executed

Note—Contn. sheet.

MGCPB—10 000—19-5-04

Serial No.

8 To Malleswara of Nagari, Chikmagalur Dt.
No. H 1508 dt. the 10/9/04.
Informs him that the Govt. see no reason to interfere with the order of the Excise Comm. regarding his standing surety to one Kadreswara.

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9 To The Excise Commr. in Mysore.
No. 1507 dt. the 10/9/04.
Requests him to obtain and submit the explanation of ~~certain officers~~ the Amildar for the irregularities pointed out by the Excise Commr.

---

10 From the Excise Comr.
No. 123. dt. the 31/8/05.
States that Kadreswara has agreed to pay up the arrears of Rs 3152. 14. 9 still due from him by monthly instalments of Rs. 75 and that the Dy. Comr. Kadur

NOTE—Contn. sheet.

MGCPB—10 000—19-5-04

G.R.S. 12]
General and Revenue Secretariat.

& File No. 11 of 1903-04

Serial No.

399
13-9-05.

Seventeen 902. through the licensee was available at any time & produce malleswara. Draft ruled.

Three
9.9.05.

The excise commissioner is a reply to an inquiry raised the made by the Dewan.

mbd 12/9/05

Draft submitted to the Dewan Sahib thro the 1st Councillor & C.S. 12/9/05

11-9-05

I am afraid the new arrangement which the Dy Comm is reported to be trying to make, will, in the absence of necessary precautions, lead to some further complication. Malleswara might plead it as a discharge of his liability unless he is also made a party to it. The new security should be either ample in itself or Govt should not lose its hold on Malleswara. I agree

I agree with the Excise Comm

NOTE.—Contn. sheet.

MGCPB—50,000—17-2-05

Ex 161 / 1903 (1)

Sub

1) Two Rupee Stamp affd (Stamp sufficient).

2) Excise Commr's offl Memo = randum against which Petr appeal preferred.

3) In time.

Transferred to the Excise Branch for disposal

23/9/03

24-9-03 Recorded/03

Recorded

Recorded

No. 707

Patel Mallegowda

Name of Petitioner

Village Magadi

Taluk Chikmagalur

District Kadur

Date of Arzi 14/9/03

Date of Receipt 16/9/03

Date of Disposal

No. of Enclosure 1

ABSTRACT

Appeal against the Excise Commrs memorandum dt 8/9/1903 which is as follows:

1 This Office memo no 7272 dt 26/5/03 re Security Bond executed by Mallegowda of Magadi village Chikmagalur Taluk on account of Kadur as Govda licensee of Chikmagalur block of toddy Shops, for the years 1902-1903.

2- Correspondence as cited with docket no 22 dt 4/8/1903.

1 x
2 -
3 -
4 -
5 -

6. Mallegowda's Muchalika (Security bond) is dated 28th August 1902. As a plague outbreak subsequently at Chikmagalur Kadur as Govda and Mallegowda evidently fearing that toddy

a sales would greatly affected and that consequently heavy loss would accrue to them, doubtless, entered into collusion in withdrawal other than former dengues all knowledge of the petition with which the said Mallegowda & Muchalika to the Dy Comr, and the latter making an endt on the notice on 5/10/02 to the effect that he came to stand security to the delay sought, and then dengues all knowledge of Muchalika which he accepted on 28/8/02. But it has been conclusively established from the evidence of Rotteswamy & Dr Abdul Khadir Chandappa that the said petition was really caused to be written and signed by the deceased; and from the evidence of the said doctor it is clear that Mallegowda admitted having executed and signed the Muchalika in question - The signature under it clearly resembles the admitted signature of Mallegowda - Under such circumstances, Mallegowda's appeal is rejected. He has deposited Rs 3500/- in the Bangalore District Treasury. The Treasury Officer will be requested to remit this amount to the Hassan District Treasury by a Public Service Treasury Receipt. The balance Rs 760/- should be recovered from Mallegowda with all [illegible]

17 [illegible]

(Contd:-)

that the muchalika is said to have been executed dated 28/8/02 & to have been sent to the Dy Comr by post i.e the muchalika is dated 2 months after the toddy shops were opened by the licensee while it is the rule

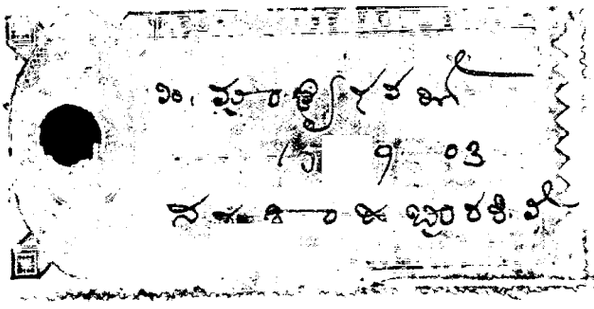
to furnish Security bond
before the opening of the shops
that pet does not thereon the
licensee was allowed 2 months
time and why he did not produce
should not have produced
the muchalka in person before
the Dy Comr while he was
attending shops daily at Chikmag
that every muchalka and
Security bond should be
accompanied by a Schedule
of properties of the Security
the Security should sign
muchalka before Local
magistrate who should certify
the Signature and that in the
above was not done in this
case; that when one Security bond
was granted there was no necessity
for issuing notice to the pet to
execute muchalka before the
Asildar; that on the above
notice pet has endorsed on 15/10/02
that he was not prepared to
stand Kadurecgowda's Security
that plague broke out in Chikmag
in July and August 02, and in
such a case no body would offer
himself to stand Security; that
in October 02 when plague had
already subsided the pet
would not have declined to
stand Security if he had
once executed a bond as ordered
through by the Asst Comr;
that the evidence of Lingaiah
and Doddathirthaiyya had
not been recorded when this
re Security bond case was before
the Dy Comr and that of Asildar
also not recorded; that the
above evidences were recorded

by the local authorities to strengthen their own case when it was called for by the Excise Comrs; that it is not difficult to get depositions necessary from Nanjanagud and Doddaballapur with a little cost by any one of the influence; that the local authorities concerned be directed to recover monthly dues for Rs 1000 from Kadaregowdahalli for next 10 months; that if the petr admitted the execution of the Muchalikas as deposed by the Amildar when the petr was taken before the Dy Comrs, the Dy Comrs could have committed the Muchalikas forthwith by the petr's admission and if necessary taking Amildar's attestation also if necessary.

Prays that, under foregoing reasons, all the records in the case may be perused and Excise Comrs order be set aside, that Rs 3500/-/ deposited by the petr in Bangalore Deputy Treasury be ordered to be credited to the Government and that the recovery of Rs 760/-/ be stayed until this case is finally settled.

Excise Comrs memo and other allied papers is enclosed.

24/9/03



MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
RECD. No. 707R
DATE 16-9-03

In the Government
of His Highness the Maharaja
of Mysore

Invoice
Stamp affd.

1 enclosure

Humble memorial of Malleyonda, patel of
Nagadi in the Chikmagalur Taluk,
Kadur District.

707. Most-honoured Sirs,

The humble petitioner most humbly begs to appeal before the Honourable Government, against the orders passed by the Excise Commissioner in his Official Memorandum No. $\frac{1605}{32}$ dated $\frac{8}{17}^{th}$ August-1903, rejecting the appeal of the petitioner praying that the orders of the Deputy Commissioner Compelling the petitioner to pay Rs 4260/- to Govt. on a security bond, which is not genuine, alleged to have been executed by the petitioner, on account of one Kadreyonda licensee of Chikmagalur block of toddy shops for the year 1902-03.

The humble petitioner most respectfully begs to show that the Muchalika in question is said to have been dated 28th August 1902 and to have been sent to the then Deputy Commissioner late Mr. B. G. Krishnaiengar with a petition of the said licensee by post, that is, the Muchalika is dated 2 months after the toddy shops were

opened by the licensee Kadreyonda, That while it was the rule to furnish security before the opening of a shop, that the petitioner does not know the reasons why the licensee was allowed 2 months time after the opening of his shops to produce security, as that Kadreyonda, who was attending his shops daily in Chikmagalur and the surrounding places, should not have gone in person before the Dy. Comm.r to produce the Muchalika in question; and that every Muchalika or security bond, furnished by any security for a licensee of toddy shops, should be accompanied with a schedule of the properties of the security and the security should sign his Muchalika before a local Magistrate & that the Magistrate should certify his signature, whereas in the case no such thing has taken place.

The humble petitioner further begs to state, that when there was one security bond executed, there was no necessity for a notice to be issued to the petitioner requiring him to present himself before the Amildar to execute a Muchalika for Kadreyonda, on which notice the petitioner has endorsed on the 15th October 1902 that he is not going to stand Kadreyonda's security.

He further begs to state that the Executive Officer is of opinion that owing to the prevalence of plague in Chikmagalur, the petitioner and Kadreyonda fearing that toddy sales would be greatly affected and that heavy loss would be accrued to them entered into collusion with each other and that on the petitioner endorsed on the said notice therefore the petitioner endorsed on the said notice on the 15th October 1902 that he cannot stand security to Kadreyonda

The petitioner most humbly begs to show that plague broke out in Chikmagalur in July 1902 and it was very severe in the latter part of July and the whole of August 1902. If toddy sales should

be affected it should have been in the time when plague was very severe. In such a case would any body offer himself to stand security in a dealing which had already proved to be a failure.

The humble petitioner prays that the Govt may consider, whether the petitioner would like to execute a security bond on the 28th August 02, when plague was raging very severely and that in October 1902 plague had already subsided and there were Spring and Summer, before them petitioner & Kadur -gonda, when there would naturally be pretty good sale of toddy, and a hope to make good of the loss sustained previously during the prevalence of plague and rainy season. At such a time when there were full 8 promissing months before them how can a literate man suddenly decline to stand security, if he had once executed a bond, as is thought by the Excise Comr. on the petitioner's endorsement dated 15th October 02 on the said note.

The evidence of Lingannaiya and Doddakrishna -ppa named in the Excise Comr's memorandum had not been recorded when this re security bond case was going on before the Dy. Comr. Hi the same with that of the Amildar also. The evidence of all the said three, were recorded by the local authorities so as to strengthen their own cause, when it was called for by the Ex. Comr.

The petitioner most respectfully begs to submit that it not very difficult to extract any depa necessary from any of the former two. Lingannai was a tree-marker in the Excise department & was dismissed in an illicit-tree tapping case, and the other is one from whom any deposition can be taken with a little cost by any man of some influence, and the local authorities Concerned neglected to recover the monthly dues from Kadigonda for about 10 months.

If the petitioner had admitted the execution of the Mutchalika, as deposed by the Amildar, when the petitioner was taken before the Dy. Comr. by the Amildar, then atleast the Dy. Comr. could have completed the so called Mutchalika by recording the petitioner's admission, and if necessary taking the Amildar's attestation also.

The copy of the said order of the Cen Comr. forwarded to the petitioner is herewith submitted.

As the petitioner has been suffering from fever for the last two months he has submitted this humble memorial by proxy.

So the humble petitioner most humbly prays that the Hon Govt., may for the foregoing and other reasons, peruse into the whole records in the case and set aside the order of the Excise Commissioner, compelling the petitioner to pay to Govt Rs 4260/- unjustly, and to order that Rs 3500/- which the petitioner has deposited in the Bangalore District Treasury, may not be credited to the security amount and to stop proceedings to recover Rs 760/- from the petitioner until this case is finally settled, as there stand two best solvent securities for the whole of the so called security amount, by the petitioner.

Hoping to be done justice and to get redress, the humble petitioner most humbly begs to remain, Most honored Sirs,

Most obedient and humble servant of the Hon Govt.

(by mark) his

Witness to Sept 03
Shrapa di

Excise Commissioner's office

No. Bangalore. Dated 8/17th August 1903.

## Official Memorandum

Read :—

This office memo no: 7272/124, dated 26th May 1903, in re Security Bond executed by Mallay Gowda of Magadi village, Chikmagalur taluk on account of Kadaray Gowda, licensee of Chickmagalur block of toddy shops, for the year 1902-1903.

2. Correspondence ended with docket no: 22 dated 4th August 1903.

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1 x x x x

2 x x x x

3 x x x x

4 x x x x

5 x x x x

6. Mallay Gowda's Mutchalika (Security Bond) is dated 28th August 1902. As plague broke

broke out subsequently at Chikmagalur, Kadaray Gowda and mallay Gowda evidently fearing that toddy sales -- would be greatly affected, and that Consequently heavy loss would accrue to them, doubtless entered into collu- sion with each other, the former deny- -ing all knowledge of the petition with which he sent mallay Gowda's -- Mutchalika to the Deputy Commissioner, and the latter making an endorse- -ment on the notice, on 15th October 1902, to the effect that he cannot stand security to Kadaray Gowda, and then denying all knowledge of the Mutchalika which he executed on 28th August 1902. But it has been Conclusively established from the evidence of Poottanniah and Dodda- -Krishnappa that the said petition was really caused to be written and

Rejected

No. 298/04 (2)

dt 7.10.03.

Memorandum

Petn. petdno. 707/E-161/03 dt 14.11.Septr 03, from Patel Malleswara Naidu Kadiri Village, Chittoor Taluk, Kadiri District in the appeal against the order of the Excise Comr in memo No. 1605/32, dt 8-11-Augt 03 in the matter of his (petti) shop ticket to Kare Gowda. licensee of the Chikkanahalli & other toddy shops for 1902 03. is forwarded to the Excise Comr in

Magore. for report
together with
the records of the
Case.

FLO

for Secy

Case
20/9/02

receipt of the same from the Deputy Commissioner Kadur district.

3. The appeal petition of Malleygowda is herewith returned.

Excise Commissioner
Vs in Mysore.

No 1556/26

Excise Commissioner's office

Bangalore. Dated 8/17th August 03.

Official Memorandum.

Read:-

(1) This office memo no: 7272/124, dated 26th May 1903, in re Security Bond executed by Mallay Gowda of Nagary village, Chickmagalur taluk, on account of Kadaray Gowda, licensee of — Chickmagalur block of toddy shops, for the year 1902-1903

(2) Correspondence ended with docket no: 22 dated 4th August 1903, from the Deputy Comr., Kadur district.

---

1. The Deputy Commissioner, Kadur District, in his letter no: 221, dated 23rd June 1903, states that the blank printed form of Security Bond forwarded to the Chickmagalur taluk Amildar, with his order no 127, dated 17th July 1902, for execution by Mallay Gowda, is not to be found on the file, and that it is difficult, if not impossible, now to say by whom it was lost or made over to Kadaray Gowda

2 In letter no: 222, dated 23rd June 1903, the — Deputy

Deputy Commissioner states that Linganniah who has attested Mallay Gowda's Security Bond as a witness, was dismissed in January 1901 for having Connived in Company with Assistant Inspector Narasimhiah at the tapping of certain date trees without license; that on appeal Assistant Inspector Narasimhiah was ordered to be reemployed, as nothing Conclusive was established against him; that Linganniah says he had also sent an appeal petition, but that no orders were received by him; that Linganniah is employed by the aforesaid Kadaray Gowda and his relatives to prepare J.J.4 applications for them; that the Amildar reports that there is nothing on record against Linganniah's Character.

3. In letter no: 220, dated 23rd June 1903, the Deputy Commissioner states that the notice to Mallay Gowda to execute the Security Bond, and Confirmation notice to Kadaray Gowda were sent by the Amildar to the Sheikdar of Marle Holli; that the Sheikdar delayed the service of the notice on Mallay Gowda for 2½ months, & the return of it to the Amildar for 1½ months;

Gowda, with which the latter forwarded Mallay Gowda's mutchalika to the Deputy Commissioner, states that he usually writes petitions for Kadaray Gowda; that he wrote the petition in question forwarding Mallay Gowda's mutchalika to the Deputy Commissioner, as dictated by Kadaray Gowda himself; and that he also attested the mark which Kadaray Gowda affixed at the bottom of the petition. Dodda Krishnappa affirms that Kadaray Gowda caused the petition to be written by Puttaniah. The statements of these two individuals have been received with the Deputy Commissioner's docket No: 19, dated 31st July 1903. Accordingly it is conclusively clear that Kadaray Gowda is in collusion with Mallay Gowda.

6. Mallay Gowda's Mutchalika (Security Bond) is dated 28th August 1902. As plague broke out subsequently at Chicknagalur, Kadaray Gowda and Mallay Gowda evidently fearing that toddy sales would be greatly affected, and that consequently heavy loss would accrue to them, doubtless entered into collusion with each other, the former denying all knowledge of the petition

with

which he sent Mallay Gowda's mutchalika to the Deputy Commissioner, and the latter making an endorsement on the notice, on 15th October 1902, to the effect that he cannot stand Security to Kadaray Gowda, & then denying all knowledge of the mutchalika which he executed on 28th August 1902. But it has been conclusively established from the evidence of Poottanniah and Doddakrishnappa that the said petition was really caused to be written and signed by Kadaray Gowda; and from the evidence of the Amildar it is clear that Mallay Gowda admitted having executed and signed the mutchalika in question. The signature under it clearly resembles the admitted signatures of Mallay Gowda. Under such circumstances, Mallay Gowda's appeal is rejected. He has deposited Rs 3500 in the Bangalore district Treasury. The Treasury officer will be requested to remit this amount to the Kadur District Treasury by a Public service Transfer Receipt. The balance of Rs 760 shou

(4)

Excise Commissioner's Office,

No. 3150/147 Cwelfile Bangalore, dated 20th/22nd October 1903.

From

Serial No. 4.

P. N. Purnaya Esquire B.A.,
Excise Commissioner
in Mysore

To

N. V. Nanjundayya Esquire M.A.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore
General & Revenue Departments

Sir,

In continuation of this office letter No. 2928 dated 9th instant, I have the 137/13 honor to submit herewith the records relating to the case of Malle Gowda of Magadi, Chickmagalur taluk.

I have the honor to be,

Sir,

Your most obedient servant

~~Excise Commissioner~~
For Excise Commissioner
in Mysore

Mad

Ex 189 of 23.10.03.

1903 - 1904.

23.X.03

From

P. C. Purnaiya Esquire B.A.
Excise Commissioner
in Mysore

To

H. V. Nanjundayya Esquire B.A.
Secretary to the Government
of His Highness the Maharaja
of Mysore
General & Revenue Departments

Dated 20th
Despatched 22nd } October 1903.
Received

General No. 3150
No. 147

Enclosure No. 11-12.

In continuation of this office
letter No. 2928/137 dated 9th/13 instant

Subject

Submits herewith the
records relating to the case
of Malle Gowda of Magadi,
Chickmagalur taluk.

Note 2 orders
below.

Exon.
28.10.03

28/12/03

Ex 302 of 23/1/04

(5)

~~100~~ 1903-04

No. 1577

Name of Petitioner Mallay Gowda Patel of

Village Nagadi

Taluk Chikmagalore

District Kadur

Date of Arzi 31-12-03

Date of Receipt 8-1-04

Date of Disposal Serial No. 5.

No. of Enclosure Nil.

Ex.cir Br.

Is petn. entitled to be heard in person? Submit this petn. in 2 nos office note

Asst SAD
8/1/04

Reference

22
20-1-04

707 of 03 ಅರ್ಜಿ ದಿನಾಂಕ 25-9-03 ರಲ್ಲಿ ಮಾಡಿರುವ ಮನವಿ-

8/1/04

21-1-04

Transferred to the Ex.cir branch. 22/1/04

22
22-1-04

ABSTRACT

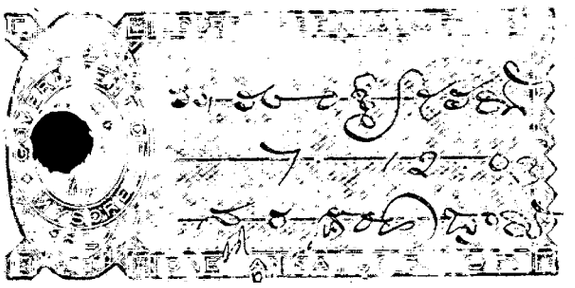
With reference to his ~~appeal~~ appeal of 15-9-03 against the orders of the Exec. Comm. of 8/17-8-03, the petr states that he wants to submit the facts of the case personally or by his advocate and prays to be informed of the date on which his case is to come on for hearing.

Asst

20/1/04

MGCPB—5,000—10-11-02

recd 23/1/04



Mysore Government
General & Revenue Secretariat
Petition Department
Regd No 1577R
Date 8-1-1904

1577

To

In the Most Honourable Government

of His Highness the Maharaja

of Mysore

Humble memorial of Challayyanda, Patel of Nagadi, in the Chikmagalur Taluk.

The humble petitioner, in connection with his appeal to Government dated 15th September 1903, against the orders of the Excise Commissioner dated 8/17th August 1903, in re. Security Bond alleged to have been executed by him on account of Kadrayyanda, licensee of Chikmagalur block of toddy shops for the year 1902-03, most humbly begs to submit that he has been laid to bed for the last 6 months by ague and dysentry, that he has been unable even to get up and walk, and that he is desirous of submitting the facts in his case, to the Government personally if he recovers from the sickness from which he is suffering now or of being represented by an advocate instructed by Mr. N. Nanjundiah and Mr. B. Kesavaiya of Chikmagalur who know his (the petitioner's) case well, or by the latter two gentlemen.

So the humble petitioner, most respectfully prays that the Honourable

Government may, pleased to kindly issue a notice to him intimating him the day on which his case will be taken up permitting him to be represented in either of the said modes.

Hoping that he will be done this act of kindness and to get redress and justice, the humble petitioner,

Dated 31st Dec. 1903
Nagadi

in duel, respectfully begs to remain, ever loyal, obedient and humble servant of the Gracious Government

Signature illegible

Excise Br.

Is Pet' entitled to be heard in person ?

68
8/

Endorsg this Pet' in your favr note

68 8.1.

(6)

*Office Draft.* (Docket.)

Mysore Government,
General & Revenue Secretariat.

Serial No. 6.

To The Revenue Court in Mysore

Date of passing the draft

Date of despatch 30/1/04

Regd. No. 537

File No. & date (if any) Ex.

No. of Encls.

His letter No. 3150 of 1903 dated 22nd October 1903 calling for the record relating to the appeal of Malle Gowda & Chikkanaiken Deshik in the appeal from the order of the Excise Commr. in Mysore in the matter of his suit to Kadur Gowda defaulting licensee of Chikkanaiken & others toddy shops for 1902-03.

Has the honor to request that the

record Consequential,
(the notice taken)
liable, the default
of the licensee, the
grant of the block
& the Commencement
accepted in the
Case, may be obtained
applied to Case Later
early date.

29/1/04

Tabled
29-1-04

(7)

No. E

Excise Commissioner's Office

Bangalore, dated 2nd June '04

Serial No. 7.

From P. N. Perumaiya Esquire B.A.

Excise Commissioner

in Mysore.

To

L. Anantasami Row Esquire B.A,

Offg. Secretary to the Government of

His Highness the Maharaja of Mysore

General and Revenue Departments

Sir,

As called for in your docket No. 537 Ex

dated 30th January 1904, I have the honour

to submit herewith the Vernacular records

connected with the notice taken of the defaul

of Kadaré Gowda, licensee of the toddy Shops i

the Chickmagalur Taluk for 1903-04, the resale

of these Shops and coercive steps taken in th

case.

I have the honour to be,

Sir,

Your Most obedient Servan

P. N. Perumaiya

For Excise Commissioner

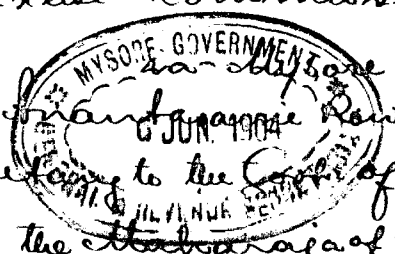
in Mysore

Ex 4779 6/6/04

~~1904~~

From R. N. Narasinga Rao Esqr. B.A.

Excise Commissioner




To L. Anandarama Rao Esq: B.A.

Offg. Secretary to the Govt. of His Highness the Maharaja of Mysore

General and Revenue Department

Dated 2nd } June 1904.

Despatched 4 }

Received

General No. 9053

No. 361

Enclosure No. 1 file

---

With reference to Secretary's docket No. 537 Ex. dated 30th January 1904 submits the Vernacular records connected with the notice taken of the default of Kadare Gowda - licensee of toddy shops in the Shikarpur Taluk.

---

2 8865

G.R.S. 26]

File No. 11 of 1903.

Serial No. 9

Serial No. 9.

Diary No. of letter replied to & 477.

No. H. 1508
S.R 11-03

Endorsement-

General and Revenue Secretariat
( Sep. Rev )
Dated the 10 Septr 1904

To
Mallegowda of Nagar
Chikmagalur Dk.

Date of issue 10-9-04

Signed by Mr M N Krishnaraj

With reference to his petn., Regd no 707 of the 16/9/03, appealing against the order of the Excise Commr regarding his standing ~~surety~~ security to Kadre gowda, defaulting licensee of Chikmagalur to the toddy shop, Mallegowda of Nagadi, Chikmagalur Dk, is informed that Government see no reason to interfere with the orders of the Excise Commr in the matter.

B.P.
31.8.1904
Secy.

over

SUBJECT.

29/8/04 ~~29/8/04~~ 30/8/04

Ex 7.11-03 sl (10) D.1017

No. 123 Rev: 3 files & a copy. OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

DATED BANGALORE, 31st Aug: 1903.

*From*

P. N. Purnaiya Esquire B.A.

*Excise Commissioner in Mysore.*

11 Rev 3. 4-05 = 5.

*To*

Serial No. 10.

B. K. Venkatavaradiengar Esquire

*Secretary to the Government of His Highness the Maharaja of Mysore,*

*General and Revenue Departments.*

Sir,

Adverting to your docket No. H.1507 S.R.11-03 dated 10th September 1904, ament the ca of Mallegowda of Magadi Village Chikmagalur taluk, who executed a security bond on account of Ka -daregowda the defaulting Licensee of the Toddy shops in the Chikka -magalur Taluk for 1902-03, I have the honor to state that Kadaregowda is reported to have agreed to pay off the arrears by monthly instal- -ments of Rs 75 and that the Deputy Commissioner has been enquiring as to the sufficiency of

of the immoveable properties offered by the defaulter's sureties.

2. The Amildar's explanation called for in your No: quoted above is in the file herewith resubmitted and the Deputy Commissioner in his No: 18 dated 25th July/05 (copy enclosed) states that "Mr. Mahomed Raza's mistake lies in having referred the Excise papers to the Sheikdar relating to the solvency of Mallegowda and the security Bond to be executed by him" and that unfortunately as he went on leave for a month, the Sheikdar has taken his own time in the disposal of these records."

3. It has to be observed that though Kadaregowda was the contractor of the Toddy shops of Chikmagalur Kasba and other villages and thus available at any time, the prescribed securities were not taken from him till he voluntarily sent

1905.

From

M. Chengiah Chetty
Esquire B.A.
Offg. deputy Commissioner
Kadur District

To

B. N. Purnaiya Esquire
B.A.
Excise Commissioner
in Mysore

Dated 25th July 05

Despatched 27th July 05

Received

General No. 18
No.

Enclosure No. 1 file.

Sir,

With reference to your docket No. 4649/74 dated 3rd January 1905 calling for the remarks of the deputy Commissioner on the Chik- dair's explanation in the case of Mallegowda of Magadi village in the Chikmagalur taluk, I have the honor to state that I have carefully studied the records. The Excise Inspector does not seem to have been at fault in as much as he has been trying his best to get the amount due

Report No: 195 dated 9-9-03.

ce from Kadare Gowda, as also corresponding with
the Amildar, about the cash deposit to be paid
by him. The Amildar Mr. Mohamed Kazi's
mistake lies in having referred the Excise
papers to the Sheikdar, relating to the
solvency of
Malle gowda and the security bond to be
executed by him. Unfortunately as he went
on leave for a month, the Sheikdar has taken
his own time in the disposal of these re-
cords. The Sheikdar has been degraded
for his negligence and no further action
seems necessary. As regards the amount
viz: Rs 3152 - 14 - 9 still due from the de-
faulter Kadaregowda, steps have been
taken to recover the same.

Kadaregowda has agreed to pay off
the arrears by monthly instalments of Rs 75
as per written statement made before
the Excise Divisional Officer on 3-11-1904.
The Chikmagalur taluq Amildar has been
asked to report whether the immoveable pro-
perties in the chikmagalur taluk offered by the
sureties on behalf of the defaulter are suffi-
cient and in a realizable form.

The enclosures received with the above
are herewith returned. I have etc.

Sd. M. Cungaichetty.
Dy. Commr. Kadur
8/1

"Copy"

R. Kalliengia
Asst for Excise Commissioner

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

absence of necessary precautions likely to lead to some further complication. Malle goorda might plead it as a discharge of his liability unless he is also made a party to it. The new security should be either saleable in itself or Govt. should not lose its hold on Malle goorda The Amildar Nor Mahomed Razza ~~should be~~ censured for his omission to get the Muchulika executed soon after the confirmation of sale

20.11.05
Jn. Scoulogy

To The Collr Comy returning the Revenue Comy enclosures

20/11/05

3 3 15 - p

11-3-11 11 ~~Dec~~ 4

Collr
8/11/05

Issued
with
21/11